

REMARKS

In the Official Action mailed on **18 August 2006**, the Examiner reviewed claims 1-27. Claims 1-6, 10-19, and 23-27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Rajwar et al (*Speculative Lock Elision*; ACM/IEEE International Symposium; Dec. 2001, hereinafter “Rajwar”), and further in view of Jim Gray (*The Transaction Concept: Virtues and Limitations*, hereinafter “Gray”) and further in view of Oplinger et al. (“*Enhancing Software Reliability with Speculative Threads*” hereinafter “Oplinger”). Claims 7-9 and 20-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Rajwar, in view of Gray, in view of Oplinger, in view of MCD and further in view of Gaskins et al (USPN 6,681,311, hereinafter “Gaskins”).

Rejections under 35 U.S.C. §103(a)

Independent claims 1, 14, and 27 were rejected as being unpatentable over Rajwar in view of Gray, and further in view of Oplinger. Examiner avers that the combined teachings of Rajwar and Gray teach selectively monitored load (and store) instructions (see page 5 of the Office Action Response dated August 18, 2006). Applicant respectfully points out that Gray teaches “categorizing” actions as either “protected” or “unprotected” (see Gray page 145, column 1). Gray *does not* disclose **selectively configuring a specific memory-access operation** to be either protected or unprotected.

In contrast, the present invention teaches creating special monitored and unmonitored load (and store) instructions (see paragraphs [0082]-[0086] and [0092]-[0094] of the instant application). When these special monitored and unmonitored load (and store) instructions are executed, only the cache lines associated with the monitored load (and store) instructions are load marked (see paragraphs [0089]-[0090] and [0096] of the instant application). In this way, a load (or store) instruction does not fall into a specific category (protected or


unprotected), but can instead be **selectively configured** to be monitored or unmonitored.

Hence, Applicant respectfully submits that independent claims 1, 14, and 27 as presented are in condition for allowance. Applicant also submits that claims 2-13, which depend upon claim 1, and claims 15-26, which depend upon claim 14, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By 
Edward J. Grundler
Registration No. 47,615

Date: 6 November 2006

Edward J. Grundler
PARK, VAUGHAN & FLEMING LLP
2820 Fifth Street
Davis, CA 95618-7759
Tel: (530) 759-1663
FAX: (530) 759-1665
Email: edward@parklegal.com